



**COMMONWEALTH of VIRGINIA**  
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*Richmond 23219*

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**MEMORANDUM**

**TO:** Emily V. Webb, Director  
Office of Board Relations  
Virginia Department of Education

**FROM:** Deborah A. Love *DAL*  
Senior Assistant Attorney General

**DATE:** August 17, 2022

**SUBJECT:** Amendments to 8 VAC 20-23 (Licensure Regulations for School Personnel) to Establish an Add-on Endorsement to Teach Economics and Personal Finance

I have reviewed the amendments to the regulations identified above in order to determine whether the State Board of Education (Board) has the authority to promulgate the regulations and if the regulations comport with applicable state law.

Pursuant to § 22.1-16 of the *Code of Virginia*, the Board has authority to promulgate regulations to carry out its statutory powers and duties. In addition, pursuant to § 22.1-253.13:2, the Board has the authority to establish requirements for the licensing of teachers, principals, superintendents and other professional personnel. Lastly, § 22.1-298.1 requires the Board to prescribe by regulations the requirements for the licensure of teachers and other school personnel to hold a license.

It is the view of this Office that the Board has the authority to adopt this amendment regulations, subject to compliance with the provisions of Article 2 of the Administrative

Process Act and Virginia Office of the Governor Executive Order 14 (2018)<sup>1</sup>, and that the Board has not exceeded that authority.

If you have any questions or concerns, please feel free to contact me at the address above, by telephone at (804)786-3807 or by electronic mail at [dlove@oag.state.va.us](mailto:dlove@oag.state.va.us).

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<sup>1</sup> This Executive Order has been replaced by Executive Order 19 (2022), which by its terms applies to regulatory activity initiated on or after July 1, 2022. The subject regulation was initiated prior to July 1, 2022, and so is not governed by EO 19 (2022).